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THURSDAY, AUGUST 13, 1903.

NORMAN R. PRICE, M. D.
MARLINTON, W. VA.

Office in the Bank of Marlinton Building.

The Saw Dust Law Unconstitutional

Upon close inspection the law imposing a penalty upon saw-mill men for allowing saw dust to enter a stream is found to be unconstitutional.

The saw dust law reads: "The deputy game and fish wardens shall receive for their services the fines accruing from such prosecutions as may be instituted by them respectively."

The Constitution of this State Article 13, Clause 5, reads:

"The Legislature shall provide for the support of free schools by appropriating thereto the interest of the invested school fund; the net proceeds of all forfeitures and fines accruing to this State under the laws thereof; the State capitation tax, and by general taxation of persons and property or otherwise."

It is plain to be seen that criminal prosecutions which do not benefit the free school fund in some degree are unconstitutional.

Either the whole law is unconstitutional, or that part of it which gives the deputy game warden the net proceeds, and in either event the result will be the same.

We are glad to be able to publish the two sections in order that any one who can read will see that the law will have to give way to the Constitution.

Virginia suffered under laws giving the informer the benefit of a part of the fine. It was grieved against by the new State in its constitution and this clause was overlooked when the game law was passed.

The saw mill men are to be congratulated on their deliverance from the hands of the deputy game warden.

When will some of the Northern papers stop trying to find a cause for lynchings. Up to within a few years, before the negro had invaded the north to any great extent, it was race prejudice pure and simple that caused the lynchings. But since the greater member of lynchings are north of the Mason and Dixon line where race prejudice and sectionalism are unknown it must be ascribed to some other source. A writer in the New York World lays the blame upon poor old Booker T. Washington who with his school has done more for his race than any ten thousand members of it. Of course Washington quered himself with his white friends by sitting at meat with the President, but then the white man was more to blame than the negro, but who will say that this caused the burning of several negroes in Indiana and Illinois, and that the assault upon a young woman and the murder of an old man were mere excuses?

Judge Bennett, of the Criminal Court, has given out a statement to the effect that it is his purpose to prescribe the extreme penalty of the law to all persons under indictment for carrying.

The usual fine is \$25.00 but it is in the power of the judge to prescribe a jail sentence of a year and a fine of \$200. In these days of peace there is no necessity of a man carrying deadly weapons and our courts to occasionally impose the heaviest punishment would have a salutary effect upon this not only useless but dangerous practice.

A highly intellectual assemblage of negroes recently gathered in Boston to hear Booker Washington speak, broke up in a free-for-all fight in which razors predominated. It seems that all coons are alike in that they enjoy a little excitement occasionally.

A BUSY BIRTHDAY

Rev. W. T. Price Goes Preaching on His 74th Birthday, and Tells the Experience

(Concluded from Last Week)

Sabbath morning, the first of my seventy-fourth year, was ushered in by chilly winds, moaning and sighing like September, yet there was no "poisonous breath." For many years it has been a question with me why is it the atmosphere about Greenbank and Edray possesses such phenomenal exhilarating qualities, and is so very salubrious, as I have found it to be for so long a time.

While I was in the veranda the previous evening, the explanation flashed upon my mind like an inspiration, while admiring the radiant glow of the sunset around the summit of Cheat Mountain, just as the eye of day was closing so serenely and beautifully. I have laid it before members of the medical profession for their consideration, and when I hear from them I may speak of it hereafter.

At the ringing of the bell, Mr. Kerr and I set out for the church, and walked through the fields. One of the fields was white as "show upon the desert's dusty face" with daisies. This brought to mind what a lady from New York, in one of her visits to Pocahontas, told about the esthetic fad, prevalent at the time, of using the daisy as an ornamental flower in social functions. A bunch of daisies was considered the proper thing to wear in the belt or pinned over the heart, or to carry in the hand, and daisies were eagerly sought after, at a dime for a bunch of a dozen or so. Now if such a fad should reach Pocahontas, Mr. Kerr has an undeveloped resource that would mean one hundred thousand dollars, and his neighbors as much or more, and so here was a quarter of a million waiting for the advent of esthetic people to materialize, in the effort to keep their pocket books from getting too heavy and full.

A nice congregation assembled expecting to hear the preacher from Alpena, but found the pulpit occupied by a preacher that has been lying loose about Marlinton the past few years. They seemed however disposed to make the best of it, and listened with their characteristic attention to the reading of the 65th Psalm, and comments thereupon, and sang "Safely Through Another Week," "My Faith Looks Up to Thee," and "Come Thou Fount of Every Blessing"; and then came the sermon, the last one that has been yet prepared by the officiating minister, from what our Redeemer when 12 years of age said to his mother in the presence of the elders: "How is it that ye sought me? Wist ye not that I must be about my Father's business?" Wonderful words for a child 12 years old, the central figure among the learned dignitaries of his times, "wiser than the wisest, and more subtle than the subtlest."

Services over, I wended my way to the Manse, a half mile away, and found the occupants in "blissed unconsciousness" of what had transpired at the church and many regrets were expressed thereupon.

A part of the time was passed in rehearsing the sermon of the morning to an audience of two ladies, the absent pastor's wife and her sister. And very soon after the rehearsal, as had been arranged, Sam Hannal, Jr., drove in sight, driving like John, to see me safe to Dunmore, where an evening service had been arranged for.

Another delightful audience gathered at this point, and gave marked attention to some desultory remarks that were suggested by this text: "These things have I written unto you that believe on the name of the Son of God; that ye may know that ye have eternal life, and that ye may believe on the name of the Son of God." (John v. 13). As hundreds of my esteemed readers in various parts of the county have heard this discourse, it will be like threshing straw for me to take time to repeat anything of its contents.

I hope they have all found it in their hearts for their own good to comply with my oft repeated request to give this fifth chapter of John special attention, as it

answers such important questions as these: How we may know whether we are born of God; how we may know that we have eternal life; and how we may know when our prayers are answered.

By so doing they will know how the beloved disciple, our Saviour's confidential friend, answered such questions, and he had special opportunities to learn how such all important questions should be answered, in virtue of his intimate relations with the Teacher come from God, as every reader of the Bible will readily remember.

Services over, Ruling Elder Charles Fritchard took up my carriage, and by the light of the stars his home was reached. His household soon assembled for family worship. The Beatitudes were read, wherein our Saviour tells us who are the best off, for time and eternity, of all the people in the world; and then led by my friend to an upper chamber, all was soon in sweet repose in that lovely home.

Thus closes the record of the first day of my seventy-fourth year, by repeating the words of a hymn sung in the morning services:

Here I raise my Ebenezer,
Hither by thy help I'm come,
And I hope by thy good pleasure,
Safely to arrive at home.
Jesus sought me when a stranger,
Wandering from the fold of God,
He to rescue me from danger,
Interposed his precious blood.

W. T. P.

Resolutions.

Passed by Pocahontas County Teachers Institute.

RESOLVED, 1st. That our thanks are hereby extended to our worthy county superintendent, J. Barnett Grimes for the interest he has manifested in our institute.

2nd. That we recognize Prof. A. S. Thorn and L. W. Burns, as able and efficient instructors and highly appreciate their presence, their practical talk and the interest they have manifested in our schools.

3rd. That we extend our thanks to Prof. F. B. Trotter, F. A. Byerly and W. T. Barbee and the Rev. Dr. R. H. Fleming, for their assistance.

4th. That the school law be so amended that the State be made the unit of taxation for all school purposes, instead of the county or district.

5th. That we favor the lengthening of the school term to at least seven months.

6th. That we extend to the Rev. W. T. Price, our sincere thanks for his daily attendance upon the sessions of our institute, and the opening of same by prayer, and we pray that his life may be spared to attend many more.

7th. That we tender our thanks to the good people of Marlinton for the courtesy shown the teachers, their interests in the institute, and hospitality in their homes.

8th. That the trustees of schools be allowed a remuneration of at least \$1.50 per day for services.

9th. That we extend to James W. Warwick, Jr. our Ex-County Superintendent our heartfelt thanks for the many courtesies shown the teachers and the interest manifested in the cause of education.

10th. That a copy of these resolutions be sent to the West Virginia School Journal, Pocahontas Times and Marlinton Messenger for publication.

Respectfully submitted,

John S. Moore, Chmn.
B. F. E. Woodell, Secy.
P. M. McCarty
H. A. Walton
C. M. Anderson
W. R. Sutton
W. J. Snedegar
Misses Lillie Friel
Bessie Elgar
Lillie Gabert
Birdie Baxter
E. N. Warwick

Special Sunday Excursions.

Effective August 8th, and continuing each Sunday until Sunday September 27th inclusive, agents on the Greenbrier Division of the C. & O., will sell special Sunday excursion tickets at one fare for the round trip, and limited to date of sale, to principal stations between Ronceverte and Durbin. Tickets good only on Trains No. 141 and 144, and to and from points at which those trains are scheduled to stop.

H. W. FULLER,
Gen'l. Pas. Agt.

Notice.

There will be a meeting of the stockholders of the Pocahontas Oil Company held at the office of the secretary thereof in the Bank of Marlinton Building on August 15, 1903, at 2 o'clock a. m. The object of this meeting is to dissolve the aforesaid corporation and return to the stockholders the respective amounts paid in by them, and any other business that may properly come before them for consideration.

GEORGE RICHARDSON,
Secretary.

Notice to Trespassers.

Notice is hereby given to all parties not to trespass on the lands the undersigned is in the possession of in any manner whatsoever.

HENRY ROSE.

Wellpoint, West Va.

Order of Publication.

State of West Virginia,
Pocahontas County, ss:

At rules held in the clerk's office of the Circuit Court of Pocahontas county, on the first Monday in the month of August, 1903

W. H. Zirkle, Plaintiff
vs.
The National Coöperage Company and Commercial Trust Co. of New Jersey, Defendants

The object of this suit is to attach and subject sufficient of the estate of the defendant, The National Coöperage Company to pay off and discharge the debt of the plaintiff of \$42.00 and the costs of this suit.

This day came the plaintiff by his attorney, and on his motion and it appearing by affidavit filed that the defendant corporations are non-residents of this State, it is ordered that they do appear within one month after the date of the first publication hereof, and do what is necessary to protect their interest in this suit.

TESTE: J. H. PATTERSON, Clerk.
L. M. McClintic, Sol.

Order of Publication.

State of West Virginia,
Pocahontas County, ss:

At rules held in the Clerk's Office of the Circuit Court for the county of Pocahontas on the first Monday in the month of August, 1903.

J. W. McClure, Plaintiff
vs.
Dora Malcomb, R. L. Malcomb, M. R. Malcomb and John Waugh, Defendants

The object of this suit is to have J. W. McClure, the plaintiff, substituted to the rights of the Bank of Marlinton in a certain judgment for \$202.15, obtained by said Bank of Marlinton against Dora Malcomb, M. R. Malcomb and himself, he being last endorser and Dora Malcomb and M. R. Malcomb standing as surety to him as prior endorser upon the note upon which said judgment was rendered, and to subject to sale for the payment of said judgment the real estate of the said Dora Malcomb, the said J. W. McClure having acquired all the rights of said Bank of Marlinton in said judgment. This day came the plaintiff by his attorney and on his motion, and it appearing by affidavit filed, that the defendants Dora Malcomb and R. L. Malcomb, are non-residents of this State, it is ordered that they do appear here within one month after the date of the first publication hereof, and do what is necessary to protect their interest in this suit.

TESTE: J. H. PATTERSON, Clerk.
Andrew Price, Sol.

Order of Publication.

State of West Virginia,
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Bessie Elgar
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10 Cents for the 4 Issues

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Drawer 12, Ronceverte, W. Va.

ALLEN GAY, GROCER,
DEALER IN ALL KINDS FRESH & FANCY

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Spring Chickens Wanted.

In connection with the GROCERY department we handle and keep on hands all kinds of fresh meats, such as

Beef, Pork, Mutton, and Sausage

We have one of the latest improved COLD STORAGE and guarantee every thing you buy from us to be fresh and fancy. Yours for Business.

ALLEN GAY.

Burner, in the manner prescribed by law, and subject the land of which the said Margaret C. Burdied seized, to the payment of the debts against her estate.

This day came the plaintiff by his attorney, and on his motion, and it appearing by affidavit filed, that the defendants E. F. Burner and E. B. Burner, are non-residents of this State, it is ordered that they do appear within one month after the date of the first publication hereof, and do what is necessary to protect their interest in this suit.

TESTE: J. H. PATTERSON, Clerk.
L. M. McClintic, Sol.

Order of Publication.

State of West Virginia,
Pocahontas County, ss:

At rules held in the clerk's office of the Circuit Court of Pocahontas county, on the first Monday in the month of August, 1903

Riapa F. Dudley, Plaintiff
vs.
Rodney H. Dudley, Emma C. Dudley, Sarah Virginia Dudley, Alexander M. Dudley, Mary Margaret Dudley and Emma Caroline Dudley, Defendants

This object of this suit; First, to partition a tract of land situated in Pocahontas county, West Virginia, on Clover Creek, containing acres, between the heirs at law of Edwin T. Dudley, and the defendant Rodney H. Dudley; and secondly to assign dower to Emma C. Dudley, the widow of Edwin T. Dudley, in the lands laid off and assigned to the heirs at law of Edwin T. Dudley and partition said lands among the heirs at law of the said Edwin T. Dudley.

This day came the plaintiff by his attorney, and on his motion, and it appearing by affidavit filed, that the defendants, Rodney H. Dudley, Emma C. Dudley, Sarah Virginia Dudley, Alexander M. Dudley, Mary Margaret Dudley and Emma Caroline Dudley, are non-residents of this state, it is ordered that they do appear within one month after the date of the first publication hereof, and do what is necessary to protect their interest in this suit.

TESTE: J. H. PATTERSON, Clerk.
L. M. McClintic, Sol.

Appointments M. E. Church South.

First Sunday—Mt. Verpon, 10:30 A. M., Sunset, 3 P. M., Huntersville, 7:30 P. M.

Second Sunday—Marlinton, 11 A. M. Brown's Mt., 3:30 P. M., Brown's Creek, 7:30 P. M.

Third Sunday—Huntersville, 11 A. M., Bethel, 3 P. M., Mt. Vernon, 7:30 P. M.

Fourth Sunday—Marlinton, 11 A. M., 7:30 P. M., Mt. Pleasant, 3 P. M.

J. D. Pope, Pastor.

Wanted

A contractor for the building of a frame church at Cass, Pocahontas Co. W. Va. for specification apply to J. D. Arbuckle M. D., Church Building Committee, W. Va.

est Virginia Citizens Trust and Guarantee Company

This company will furnish bonds of all county, state and municipal officers; fiduciary bonds, such as administrators, guardians, etc.; junction bonds; bank officials, agents, indemnifying bonds, in court bonds of all kinds; attachment bonds, bondsmen, etc.

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